

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of U.S. Serial No. 75/431,702
Mark: LOVING FAMILY
Date of Filing: February 10, 1998

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MICHAEL GLOSTER and
VICTORIA GLOSTER, t/a
GLOSTER MARKETING

Opposer

v.

RELIOS, INC., f/k/a CARLISLE
JEWELRY COMPANY, INC.

Applicant.
-----X

Opposition No. 113,487

CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. § 1.10

"Express Mail" mailing label number: BL764297682US

DATE OF DEPOSIT: November 4, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service Under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademarks, BOX TTAB, NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.


Shayna Blackmar

APPLICANT'S OPPOSITION TO OPPOSER'S (RENEWED) MOTION TO SUSPEND

Although Applicant Relios, Inc. f/k/a Carlisle Jewelry Company, Inc. (Applicant) is aware of the Board's Order suspending further proceedings in this matter pending disposition of Applicant's Motion to Compel, Opposer has not heeded the instruction from the Board, and has filed a renewed motion to suspend this proceeding in light of its belated district court filing. In light of Opposer's renewed motion to suspend, Applicant must make a brief response.

Opposer filed a Motion to Suspend on September 13, 2002. Applicant filed its opposition to Opposer's Motion to Suspend on September 27, 2002. Applicant will not repeat its arguments set forth in its opposition to Opposer's first Motion to Suspend, but incorporates those arguments herein by reference. Applicant would note, however, that the Board has already determined that Opposer's motion to suspend cannot be considered at this time. The Board stated that the parties

"should not file any paper which is not germane to the motion to compel." As a result, since Opposer's (renewed) motion to suspend is not germane to the motion to compel, it should not be given any consideration at this time. To the extent that the Board does consider Opposer's (Renewed) Motion to Suspend, Applicant vehemently disagrees with the factual allegations made by Opposer in the latter motion, and notes that concurrently herewith, Applicant filed with the U.S. District Court for the Eastern District of Pennsylvania a reply to Gloster's response to Applicant's Motion to Dismiss, which rebuts the allegations made therein, many of which are similar to the allegations raised by Opposer's renewed Motion to Suspend.

WHEREFORE, Applicant again respectfully requests that Opposer's Motion to Suspend the present opposition be denied.

Respectfully submitted,



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ATTORNEYS FOR APPLICANT
RELIOS, INC. F/K/A CARLISLE
JEWELRY CO., INC.

CERTIFICATE OF SERVICE

I hereby certify I caused a true and correct copy of the foregoing *Applicant's Opposition to Opposer's (Renewed) Motion to Suspend* to be served upon counsel for Opposer, as identified below, by facsimile and first class mail, postage prepaid, this 4th day of November 2002.

Leon W. Silverman
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Dwayne K. Goetzel